

09/127316US01

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REMARKS

1. Status of Claims

Claims 1-17 are pending in the application.

2. Claim Amendments

No claims have been amended.

3. Non-Responsive Submission

Applicants respectfully file an Election Under 37 C.F.R §§ 3.71 and 3.73 and Power of Attorney declaration.

4. Double Patenting Claim Rejections

Claims 1-17 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of U.S. Patent 6,454,965 in view of Ching et al. (WO 96/08371). Applicants respectfully traverse this ground for rejection but have filed a terminal disclaimer, directed to U.S. Patent 6,454,965, to overcome this rejection and advance the prosecution of this application.

Claims 1-17 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 144-148 and 161 of copending Application USSN 09/127,316. Applicants respectfully traverse this ground for rejection but have filed a terminal disclaimer, directed to copending Application USSN 09/127,316, to overcome this rejection and advance the prosecution of this application.

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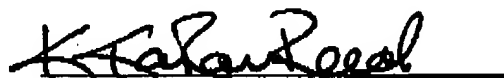
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5. *Final Remarks*

Applicants respectfully submit that pending claims 1-17 are in condition for allowance. The Examiner is invited to contact the undersigned patent attorney at (832) 813-4339 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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